

# **Tiverton School Committee Meeting**

**September 8, 2009**

**Regular Session**

**Board Members Present: Mr. Wright, Mrs. Coulter, Mr. Bergandy, Mrs. Herrmann, Mrs. Black**

**Administrators Present: Superintendent Rearick, Mr. Fiore, Mrs. Sanna, Mr. Fezette, Mrs. Aull, Mrs. Wordell, Mrs. Blaess, Mr. Gastall**

## **Minutes**

**Call to Order-The September 8, 2009 meeting of the Tiverton School Committee was called to order by Mr. Bergandy at 5:30 p.m.**

**A motion was made by Wright/Black to move into Executive Session under (PL42-46-4), (SS42-46-5)(a)(2), to discuss Legal Issues, Possible Litigation, NEA Negotiations, Council 94 Negotiations, Personnel Matter. The roll call vote was unanimous.**

**Upon returning to open session Mr. Bergandy reported that the board voted to have a letter constructed notifying NEA Tiverton that we want to enter into negotiations for the fiscal year 2010-2011 and possibly 2009/2010, pending the judge's decision on the complaint which was filed by Attorney Robinson on our behalf with the superior court. The subject of the complaint is the disagreement between the Tiverton School Committee and NEA concerning the continuation of**

**the contract for 2009/2010. The board voted unanimously to file such a letter. This complaint was filed on Friday, however, Attorney Robinson noted that due to the backlog of cases it may take six weeks to two months before it is actually heard by the judge.**

**1) Approval of Minutes**

**a) Regular: 08/25/2009**

**b) Executive: 08/25/2009**

**2) Personnel Action**

**a) Resignations**

**1) Cross Country Coach-Tiverton Middle School-Joanne Petrarca**

**2) Chemistry-Tiverton High School-Gretchen Keefe**

**3) 2/5th's School Nurse Teacher-Denise Rochefort**

**b) Appointments**

**1) 2/5th's Social Studies-Tiverton Middle School-Kristen MacCord**

**End Consent Agenda**

**A motion was made by Wright/Black to approve the consent agenda. Vote 5-0.**

**3) Old Business**

**a) Elementary Building Update-Mr. Rearick met with representatives from J.C.J. and HV Collins. They are getting close to finalizing the**

**punch list.**

**b) 2009/2010 Budget-Nothing to report this evening.**

**c) Health & Wellness-S. Black-The date for the next meeting will be announced at a later time.**

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### **4) New Business**

**a) Performance Based Graduation Requirements Update-W. Rearick –**

**Mrs. Rearick provided the Committee with a summary highlighting the work that was done this summer. We are the only high school that does not have a person dedicated to this project. Mr. Fezette and Mrs. Sanna along with several teachers worked tirelessly this summer on the updates. Mr. Rearick thanked everyone who was involved in working on this report.**

**b) Advanced Placement Information-All AP teachers do need to be certified to teacher AP classes, not everyone can teach those classes. Mr. Rearick provided information and discussed with the board advanced placement classes including the test results.**

**c) Report on Underground Storage Tank-Mr. Fiore updated the board on the situation. A motion was made by Wright/Black to waive**

the bid and authorize spending \$8750. for resource controls to complete the contract as delineated in the August 21, 2009 letter. Vote 5-0.

d) Discussion on Consideration of NEA Contract Negotiations in Open Session-The Committee was briefed by Attorney Robinson on the legality of negotiations in open session, his opinion is that there is no rule or law which prohibits negotiations in open session. If you want to negotiate in executive session then you have to have a specific vote. Parties can agree to specific ground rules. If rules are broken then there could be filings with the labor board. It is up to the board on how they want to proceed with negotiations.

In industry for 35 years, Mr. Wright is familiar with the negotiation process. He does not believe that negotiations should be held in public, sometimes the process becomes dirtied, people state truths differently than other people do. He has never had to negotiate in public.

After Mr. Bergandy provided the Committee with information, members of the Committee and the audience asked questions regarding the possibility of holding negotiations in open session.

## **5) Reports/Announcements**

a) The Commissioner of Education will be visiting the district on October 1st in morning.

b) A letter has been received from Ms. Epke, a response will be given at the next meeting.

c) The Annual Audit is upcoming.

**d) Mr. Fiore commended the custodians and the staff in preparing for the opening of school.**

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**e) The parking lot at the middle school has been repaired.**

**6) POSSIBLE EXECUTIVE SESSION (PL42-46-4)**

**a) Legal Issues (SS42-46-5)(a)(2)**

**b) Possible Litigation (SS42-46-5)(a)(2)**

**c) NEA Negotiations (SS42-46-5)(a)(2)**

**d) Council 94 Negotiations(SS42-46-5)(a)(2)**

**e) Personnel Matter(SS42-46-5)(a)(2)**

**7) Adjournment-A motion was made by Wright/Coulter to adjourn.  
Vote 5-0.**

**Respectfully submitted,**

**Elaine Pavao**

**School Board Clerk**